

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

**ANTONIO PECK, a minor, by and through
his parents and next friends, JO ANNE PECK
and KENLEY LESTER PECK,**

Plaintiff,

vs.

5:99-CV-1847

**Z BALDWINSVILLE CENTRAL SCHOOL DISTRICT,
CATHERINE McNAMARA ELEMENTARY SCHOOL,
ROBERT CREME, individually and in his official capacity
as Principal of Catherine McNamara Elementary School,
and THEODORE GILKEY, individually and in his official
capacity as Superintendent for Baldwinsville Central School
District,**

Defendants.

V ORDER

In a Summary Order filed on October 26, 2009, the Second Circuit vacated the judgment in this case and remanded with instructions to dismiss the complaint for lack of subject-matter jurisdiction. Accordingly, it is hereby

ORDERED that the complaint is **DISMISSED** for lack of subject matter jurisdiction; and

W it is further

ORDERED that the Clerk of the Court enter judgment accordingly and close this case.

IT IS SO ORDERED.

Date: January 12, 2010



Norman A. Mordue
Chief United States District Court Judge